

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

**FABRIC FANATICS, INC.**

27-1832718  
624 Haggard Street, Suite 706  
Plano, TX 75074

Debtor.

Case No.: 18-42287-BTR-11

Chapter: 11

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REORGANIZED DEBTOR'S APPLICATION FOR FINAL DECREE

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**NOTICE**

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.

No hearing will be conducted on this objection to exemption unless a written response in opposition is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading **WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE** listed in the certificate of service unless the court shortens or extends the time for filing such response. If no response in opposition to the objection is timely served and filed, this objection to exemption shall be deemed to be unopposed, and the court may enter an order sustaining the objection. If a response in opposition is filed and served in a timely manner, the court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your response in opposition may be stricken. The court reserves the right to set a hearing on any matter.

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

COMES NOW Fabric Fanatics, Inc., Debtor in the above-styled and numbered case ("**Reorganized Debtor**"), and files this *Reorganized Debtor's Application for Final Decree*, by and through the undersigned attorney. In support thereof the Reorganized Debtor respectfully shows the Court as follows:

I. **JURISDICTION**

1. The Court has jurisdiction over the subject matter of this Application pursuant to 28 U.S.C. §1334(b) and the standing order of reference of the District Court. This matter is a core proceeding. 28 U.S.C. §157(b).

2. Venue in this Court is proper under 28 U.S.C. §§ 1408 and 1409.

II. **BACKGROUND**

A. **Procedural History**

3. This case was commenced by the filing of a voluntary petition under Chapter 11 of the United States Bankruptcy Code on **October 10, 2018** (the “**Petition Date**”).

4. No trustee or examiner has been appointed, and no official committee of creditors has yet been established.

5. The Debtor recently confirmed a plan of reorganization on **September 20, 2019** [**Docket Entry No. 68**].

6. The Reorganized Debtor is performing its obligations pursuant to the Plan and believes it is current on all payments to creditors required by the Plan as well as its obligations to the Office of the United States Trustee.

III. **RELIEF REQUESTED**

7. This Application is made pursuant to 11 U.S.C. § 350 and Bankruptcy Rule 3022.

8. Some of the factors that the Court should consider in determining whether a bankruptcy estate is fully administered as required by Bankruptcy Rule 3022 are as follows:

- a. Whether the Confirmation Order is Final;
- b. Whether distributions are being made under the Plan;

c. Whether any property that was to be transferred under the plan has, in fact been transferred; and

d. Whether all motions, adversary proceedings and contested matters have been resolved.

Rule 3022, Federal Rules of Bankruptcy Procedure (Notes of Advisory Committee on Rules – 1991 Amendment).

9. In the case *sub judice*, all of the forgoing factors have been satisfied.

10. Further, all quarterly fees owed to the Office of the United States Trustee are believed to have been paid to date. To the extent that any such fees remain unpaid, Reorganized Debtor shall remit payment no later than fourteen days following the entry of the Order granting the relief sought herein or the date such payment is due and payable, as the case may be.

WHEREFORE, the Reorganized Debtor respectfully requests the entry of an order:

a. administratively closing the case per the provisions of Rule 3022 of the Federal Rules of Bankruptcy Procedure; and

b. excusing the Reorganized Debtor from the reporting obligation imposed by Local Rule of Bankruptcy Procedure 2015-1(c)(1)(A)).

Respectfully submitted,

Dated: **October 24, 2019**

/s/ Robert T. DeMarco

**DeMarco•Mitchell, PLLC**

Robert T. DeMarco, Texas Bar No. 24014543

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Michael S. Mitchell, Texas Bar No. 00788065

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1255 W. 15<sup>th</sup> Street, 805

Plano, TX 75075

**T** 972-578-1400

**F** 972-346-6791

**Counsel for Reorganized Debtor**

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that true and correct copies of the foregoing pleading and all attachments were served upon all parties listed below in accordance with applicable rules of bankruptcy procedure on this **24<sup>th</sup> day of October, 2019**. Where possible, service was made electronically via the Court's ECF noticing system or via facsimile transmission where a facsimile number is set forth below. Where such electronic service was not possible, service was made via regular first class mail.

**DEBTOR**

**Fabric Fanatics, Inc.**  
624 Haggard Street, Suite 706  
Plano, TX 75074

**UNITED STATES TRUSTEE**

**Office of the United States Trustee**  
110 N. College Avenue, Suite 300  
Tyler, TX 75702

**ADDITIONAL PARTIES IN INTEREST AND/OR PARTIES REQUESTING NOTICE**

**LiftFund**  
c/o DUNN, PLLC  
Attention: Ryan Dunn  
405 Main Street, Suite 836  
Houston, TX 77002

**Haggard Enterprises**  
c/o Robert A. Miller  
Prager & Miller, P.C.  
14911 Quorum Drive, 320  
Dallas, TX 75254

**SEE ATTACHED MATRIX**

*/s/ Robert T. DeMarco*

**DeMarco•Mitchell, PLLC**

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Label Matrix for local noticing  
0540-4  
Case 18-42287  
Eastern District of Texas  
Sherman  
Thu Oct 24 13:25:40 CDT 2019

Lisa Anderson  
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COLLIN COUNTY TAX ASSESSOR/COLLECTOR  
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McKinney, TX. 75069-3276

Chase  
PO Box 15298  
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Collin County Tax Assessor/Collector  
C/O Abernathy et al  
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C/O Office of the Attorney General  
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Austin TX 78711-2548

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Centralized Insolvency Operations  
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Philadelphia, PA 19101-7346

Kabbage-Celtic Bank  
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Atlanta, GA 30357-1081

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McKinney, TX 75070-8046

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Washington, DC 20549-2001

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Courtney J. Hull  
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John M. Vardeman  
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Tyler, TX 75702-7231

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Frontier Communications  
Bankruptcy Dept  
19 John St  
Middletown, NY 10940

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Chase  
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(d)Frontier Communications  
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(d)Lisa Anderson  
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End of Label Matrix  
Mailable recipients 36  
Bypassed recipients 6  
Total 42